IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 17770 of 2004

Between:

Pasunuti Kondaiah, s/o Ramanaiah,
working as Dy.General Manager (Safety), Manuguru Area, Singareny Collieries Company Ltd., (The Govt.Company r/o Qrt.No.A6, P.V.Colony,P.V.Town ship-507125, Manuguru, Khammam District.

... PETITIONER

AND

1 The Chairman & Managing Director, The Singareni Collieries Co.Ltd., (Govt.Company),
Kothagudem, Khammam District.
2 The Director, P.A., & W., The Singareni Collieries Co.Ltd., (Govt.Company),
Kothagudem Collieries, Khammam District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any appropriate writ order or direction particularly one in the nature of writ of mandamus declaring the action of the respondents in not considering the presentation dated 20-8-2004 submitted by the petitioner seeking for promotion to the post of Additional General Manager (M2) Grade, pursuant to the interview dated 9-3-2004 against the existing vacancy on par with the Juniors is as arbitrary, illegal and violative of Article 14 & 16 of the Constitution of India, consequently direct the 1st respondent to consider the representation dated 20-8-2004 submitted by the petitioner for promotion to the post of Additional General Manager (M2) grade

Counsel for the Petitioner: MR.G.CHANDRAIAH

Counsel for the Respondents.: MR.NANDIGAM KRISHANA RAO

The Court at the admission stage made the following:

Oral Order:

The petitioner is working as the Deputy General Manager, Safety in the first respondent company. He contends that he acquired all the qualifications for promotion as an Additional General Manager and attended the interviews previously, but his candidature was not considered for promotion. The grievance of the petitioner is that though the first respondent is giving promotion to his juniors, he is not considering his candidature for promotion, therefore, he submitted a representation to the respondents on 20-8-2004 to consider him for promotion as an Additional General Manager M-II Grade.

In view of the facts and circumstances stated by the petitioner, I am of the view that it would be appropriate to direct the respondents to consider the representation of the petitioner and to pass appropriate orders.

In the event of giving promotion to the post of the Additional General Manager in the near future, the respondents are directed to consider the candidature of the petitioner also along with the other candidates and pass appropriate orders according to the rules in force. The writ petition is accordingly disposed of.

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(Dr.G. Yethirajulu, J)

01st October 2004

svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chairman & Managing Director, The Singareni Collieries Co.Ltd., (Govt.Company), Kothagudem, Khammam District.

2. The Director, P.A., & W., The Singareni Collieries Co.Ltd., (Govt.Company), Kothagudem Collieries, Khammam District.

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